

PROCEEDINGS OF THE COUNTY BOARD OF JACKSON COUNTY, MINNESOTA

September 7, 2021

The County Board of Jackson County, Minnesota met in regular session, in the Jackson County Government Resource Center, Cafeteria Room (Door 7), 402 White Street, City of Jackson, Minnesota, on September 7, 2021. The following members of the Jackson County Board of Commissioners were present: Catherine Hohenstein, James Eigenberg, Scott McClure, Philip Nasby and Don Wachal. County Administrator, Ryan Krosch and Assistant to the Administrator, Brandi Bourquin were also in attendance.

CALL TO ORDER

Chair Eigenberg called the meeting to order at approximately 9:00 a.m. and led the Pledge of Allegiance.

Motion was made by Commissioner Nasby and seconded by Commissioner Wachal to adopt the agenda with consent agenda item 2.12 Board Action – Approve Subsurface Sewage Treatment System Loan for Benjamin and Ashley Clark moved to regular agenda.

CONSENT AGENDA

Motion was made by Commissioner Hohenstein and seconded by Commissioner McClure to approve the following Consent Agenda items:

Board Action 21-220: Approve August 17, 2021 Board of Commissioner Regular Meeting Minutes

Board Action 21-221: Approve all Commissioner disbursements in accordance with Minnesota Statutes 130.01, subd. 4(b), recorded on warrants numbered 96299 through 96433 in the amount of \$2,856,220.02 for the following funds: Revenue, \$624,802.22; Public Works, \$1,347,923.67; Ditch, \$829,252.80; Revolving Loan Fund, \$50.00; Septic Systems Revolving Loan, \$47,933.99; and Library Fund, \$6,257.34. A detailed list of claims paid is available at the Auditor/Treasurer's office upon request.

Vendor	Total
Loo Con Inc.	685,655.71
Knife River Corporation - North Central	685,433.31
M & K Bridge Construction, Inc.	375,632.38
Building Restoration Corporation	285,863.50
Jackson Co Auditor-Treasurer	249,000.00
Midwest Contracting LLC	198,318.76
ISG	87,960.12
Bolton & Menk Inc	53,201.00
Cooperative Energy Co.	28,602.32
Heron Lake Watershed District	26,020.66
Stenzel Excavating LLC	15,000.00
Edlin Excavating	14,810.67
Hohenstein Septic Services LLC	14,428.32
Duininck, Inc.	12,733.69

Bauer Built, Inc	9,864.00
Jackson/City Of	7,576.70
Wold Architects And Engineers	6,671.00
Marsden Bldg Maintenance LLC	6,654.57
MN Dept of Transportation	6,410.65
Sandy Law Firm, PC	5,600.00
Minnesota Paving & Materials	5,556.50
Jackson Soil & Water Conservation Dist.	5,098.89
H2Over Viewers LLC	4,899.51
Brock White Co Llc	4,736.32
CliftonLarsonAllen LLP	4,256.70
Mn Dept Of Agriculture	4,195.00
Black Strap Inc.	3,962.85
Erickson Engineering Co Llc	3,824.00
US Assure Insurance Services of Florida	3,399.00
S & J Cleaning	3,309.25
Barking Dog Interpretive Design Inc	3,010.80
Hedeen, Hughes and Wetering Law Firm	2,800.00
Lewis Drug Stores	2,399.34
Verizon Wireless	2,282.69
Advanced Drainage Systems	2,143.90
Total Claims of \$2000	2,831,312.11
80 Claims Under \$2000	24,907.91
Total Claims Submitted	2,856,220.02

Board Action 21-222: Utility Permit(s)

- MN Energy Resources – Gas Main Line – CSAH 23
- MN Energy Resources – Retire Gas Line Service – CSAH 23
- Red Rock Rural Water – Water Main – CSAH 34
- Telcom Construction for Century Link/Lumen – Buried Service Wire – CSAH 1

Board Action 21-223: Declare Dell Laptop with Service Tag 24DLMC2 as Surplus Equipment and Approve Donation to the Jackson County Historical Society

Board Action 21-224: Approve Wage Step Increase for Josh Vanderweide, Heavy Equipment Operator, Per End of Evaluation Period, August 22, 2021 – policy #400

Board Action 21-225: Approve Wage Step Increase for Frank Nelson, Heavy Equipment Operator, Per End of Evaluation Period, August 26, 2021 – policy #400

Board Action 21-226: Approve 3.2% On Sale Malt Liquor Licenses for FR2, LLC DBA Jackson Motorplex and Horse Barn and Hunt Club Both Expiring September 30, 2022

Board Action 21-227: Approve Termination of Current Lease Agreement with Renter of House at Robertson Campground

Board Action 21-228: Approve Pay Request #3 Judicial Ditch 24 Loo Con Inc.

Board Action 21-229: Approve 2021 Confession of Judgement Update Report

Board Action 21-230: Approve Subsurface Sewage Treatment System loan for Jordan & Jericho Jones

Board Action 21-231: Approve Lone Bid from Trail Source for Trail Work at Belmont Pending Grant Signatures

Board Action 21-232: Approve Building Operations Supervisor Job Description

The motion carried unanimously.

Motion was made by Commissioner Nasby and seconded by Commissioner Wachal to adopt Board Action 21-233: Approve Subsurface Sewage Treatment System loan for Benjamin & Ashley Clark. The motion carried 4-0 in favor with Commissioner Hohenstein recusing herself from voting due to a conflict of interest.

AUDITOR/TREASURER

Motion was made by Commissioner McClure and seconded by Commissioner Wachal to adopt Resolution 21-038: Approve official intent to reimburse certain expenditures from the proceeds of bonds (related to County ditch 3 and Judicial ditch 14). The motion carried unanimously.

RESOLUTION 21-038 DECLARING THE OFFICIAL INTENT OF JACKSON COUNTY TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE COUNTY

WHEREAS, the Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the “Reimbursement Regulations”) providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met; and

WHEREAS, the County expects to incur certain expenditures that may be financed temporarily from sources other than bonds, and reimbursed from the proceeds of a tax-exempt bond;

WHEREAS, the County has determined to make this declaration of official intent (the “Declaration”) to reimburse certain costs from proceeds of bonds in accordance with the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF JACKSON COUNTY AS FOLLOWS:

1. The County proposes to undertake the following projects (the “Project”).

Improvements to County Ditch No. 3 and Judicial Ditch No. 14

2. The County reasonably expects to reimburse the expenditures made for certain costs of the Project from the proceeds of bonds in an estimated maximum principal amount of \$7,750,000. All reimbursed expenditures will be capital expenditures, costs of issuance of the bonds, or other

expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations.

3. This Declaration has been made not later than 60 days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of bonds, except for the following expenditures: (a) costs of issuance of bonds; (b) costs in an amount not in excess of the lesser of \$100,000 or 5 percent of the proceeds of an issue; or (c) “preliminary expenditures” up to an amount not in excess of 20 percent of the aggregate issue price of the issue or issues that finance or are reasonably expected by the County to finance the project for which the preliminary expenditures were incurred. The term “preliminary expenditures” includes architectural, engineering, surveying, bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land acquisition, site preparation, and similar costs incident to commencement of construction.

4. This Declaration is an expression of the reasonable expectations of the County based on the facts and circumstances known to the County as of the date hereof. The anticipated original expenditures for the Project and the principal amount of the bonds described in paragraph 2 are consistent with the County’s budgetary and financial circumstances. No sources other than proceeds of bonds to be issued by the County are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside pursuant to the County’s budget or financial policies to pay such Project expenditures.

5. This Declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

EMPLOYEE INTRODUCTIONS

Josh Vanderweide, Heavy Equipment Operator and Frank Nelson, Heavy Equipment Operator were introduced by Highway Maintenance Supervisor, Cole Rossow.

PUBLIC WORKS

Scott Thompson, MnDOT Traffic Engineer for District #7 presented the CSAH 29 and CSAH 34 Intersection Control Evaluation (ICE). The following three control options were provided in the ICE:

- Enhanced Through/Stop Control
- Multi-Way Stop Control
- Single Lane Roundabout

The Board had discussion on the options and asked for comments from the public in attendance.

Motion by Commissioner McClure and seconded by Commissioner Hohenstein to adopt Board Action 21-234: Approve implementation of the enhanced through/stop control option presented in the ICE. The motion carried unanimously.

Chair Eigenberg recessed the Board meeting at 10:32 a.m. Chair Eigenberg reconvened the Board meeting at 10:39 a.m.

Tim Stahl, County Engineer reported on county road construction projects.

COUNTY ADMINISTRATOR

Motion by Commissioner Nasby and seconded by Commissioner Wachal to adopt Resolution 21-039: Accept notice that the incumbent County Recorder will not be filing for another term of office. The motion carried unanimously.

**RESOLUTION 21-039
RESOLUTION ACCEPTING NOTICE THAT THE INCUMBENT COUNTY RECORDER
WILL NOT BE FILING FOR ANOTHER TERM OF OFFICE**

Resolved by the Board of Commissioners, County of Jackson, and State of Minnesota:

WHEREAS, Minnesota Statute (MS) 375A.1205 give county boards the authority to appoint the office of County Recorder instead of having it be an elected position; and

WHEREAS, MS 375A.1205 states a county board shall only use the authority to appoint the office of County Recorder under the following circumstances:

- (1) there is a vacancy in the office as provided in MS 351.02;
- (2) the current office holder has notified the county board that the officer will not file for the office; or
- (3) there is a signed contract with the county board and the incumbent recorder that provides that the incumbent officer will be appointed to the position and retain tenure, pay, and benefits equal to or greater than length of service; and

WHEREAS, Jackson County Recorder Becky McCann has provided a letter dated September 2, 2021 to the Jackson County Board of Commissioners notifying the County Board that she will not be filing for another term of office for County Recorder in 2022.

NOW, THEREFORE BE IT RESOLVED, the Jackson County Board of Commissioners accepts the written notice provided by Jackson County Recorder Becky McCann that she will not be filing for another term of office for County Recorder in 2022.

Motion by Commissioner McClure and seconded by Commissioner Wachal to adopt Resolution 21-040: Approve notifying the public of the intent to make the office of Jackson County Recorder appointed and providing an opportunity for public comment. The motion carried unanimously.

**RESOLUTION 21-040
RESOLUTION NOTIFYING THE PUBLIC OF THE INTENT TO MAKE THE OFFICE
OF JACKSON COUNTY RECORDER APPOINTED AND PROVIDING AN
OPPORTUNITY FOR PUBLIC COMMENT**

Resolved by the Board of Commissioners, County of Jackson, and State of Minnesota:

WHEREAS, Minnesota Statute 375A.1205 provides a process for making certain county offices appointed in Jackson County; and

WHEREAS, the Jackson County Board of Commissioners intends to consider making the office of Jackson County Recorder appointed; and

WHEREAS, the County Board must notify the public of its intent to make the office of Jackson County Recorder appointed by publishing this resolution once a week for two consecutive weeks in the official publication of the County; and

WHEREAS, the Jackson County Board must provide an opportunity for public comment related to appointing the office of Jackson County Recorder; and

WHEREAS, the incumbent Jackson County Recorder has provided notice in writing to the Jackson County Board that she will not be filing for the office of County Recorder in 2022.

NOW, THEREFORE, BE IT RESOLVED, the Jackson County Board of Commissioners intends to consider the appointment of the Jackson County Recorder.

THEREFORE, BE IT FURTHER RESOLVED, that the required notice be published in the Jackson County Pilot, Jackson County's official newspaper, on Thursday, September 9, 2021 and Thursday, September 16, 2021.

THEREFORE, BE IT FURTHER RESOLVED, that notice is hereby given that public comment will be heard on the intent to appoint the County Recorder position at the Jackson County Board meeting held on September 21, 2021 at 9:30 a.m. in the Cafeteria Room, Jackson County Resource Center, 402 White Street (Door #7), Jackson, MN.

County Administrator, Ryan Krosch reported on building projects.

BOARD REPORTS

Commissioner McClure reported on meetings/events involving the Building Project Committee, Missouri River Water Basin One Watershed, Jackson County Budget Work Session and DVHHS.

Commissioner Hohenstein reported on meetings/events involving the Drainage Authority, Benefits Committee, Budget Committee, Jackson County Budget Work Session and DVHHS.

Commissioner Nasby reported on meetings/events involving the Prairie Ecology Bus Center, United Community Action Partnership, Jackson County Jackson County Budget Work Session and DVHHS.

Commissioner Eigenberg reported on meetings/events involving the Heron Lake Watershed District, City of Wilder, Building Project Committee, Budget Work Session and DVHHS.

Commissioner Wachal reported on meetings/events involving the Drainage Authority, Budget Committee, Jackson County Budget Work Session and DVHHS.

ADJOURN

Motion was made by Commissioner Nasby and seconded by Commissioner Eigenberg to adjourn the meeting at 11:04 a.m. The motion carried unanimously.

JACKSON COUNTY BOARD OF COMMISSIONERS

James Eigenberg, Chair

ATTEST: _____
Ryan Krosch, County Administrator